

REMARKS

Claims 1, 5, 15, 17-24, and 29-31 were previously pending in the application and have been rejected. New claims 32 to 33 have been added. Claims 1 and 5 herewith are amended. Claims presently active are, therefore, claims 1, 5, 15, 17-24, and 29-33. Favorable reconsideration of the application in view of the following remarks is respectfully requested

The Examiner's comments together with the cited references have been carefully studied. Favorable reconsideration in view of the foregoing amendments and following remarks is respectfully requested.

Claims 1, 5, 15, 17-24, and 29-31 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ilda et al. The Examiner states as follows:

The reference discloses polyester filled with inorganic particles at [0074-0076]. With respect to silica, the reference states "silica having various pore capacities." This would suggest to one of ordinary skill in the art the use of porous particles. With respect to new claim 31, the reference discloses non-voided polymeric backing at [0090-0091].

Claim 1 has now been amended to recite that the open-cell voided polymeric film is a polyester film. The term "interconnecting voids" has been deleted since it is redundant over "open-cell voided." Claim 5 has been amended to recite that the polymer material in the film consists of polyester comprising poly(ethylene terephthalate). New independent claim states that the composition of the continuous phase consists of polyester comprising poly(ethylene terephthalate) voided by organic or inorganic particles and containing no detectable silicon, as supported by the % silicon in Table 1. New claim 33 requires that the open-cell voided polyester film consists of a compounded blend of poly(ethylene terephthalate) and amorphous polyester resin, as supported by the present specification at page 16, lines 2 to 5.

Entry of the amendments of claim 1 and 5 is appropriate as no new issues have been raised. Consistent with entry of this amendment, the

Examiner stated in the office action that "The showings could be persuasive for claims that were properly limited."

As pointed out in Applicants' last response, Applicants unexpectedly found that plasma treatment of porous receivers comprising an open-cell voided polymeric film based on poly(ethylene terephthalate), containing greater than 40% elemental carbon at the surface, resulted in significantly increased dot spread and higher print densities. In particular, when Receiver 2 described in the Examples was plasma treated, an average cyan dot area of $9771 \mu\text{m}^2$ and a 50% cyan density of 0.53 was obtained, as shown in Table 2, page 20 of the present application. These results represent, respectively, a +19 percent and a +8 percent improvement due to the plasma treatment.

In contrast, the Examiner's attention is directed to the experimental results in Table 2 of the present application. Plasma treatment of Comparative Receiver 1, which instead comprised a polyolefin-based top layer like in Ilda et al., resulted in significantly lower average cyan dot area ($4055 \mu\text{m}^2$) and significantly lower 50% cyan density (0.32) than obtained using the open-cell voided poly(ethylene terephthalate)-based film of the present invention. Thus, the use of plasma treatment according to the present invention to improve dot spread shows both significantly unexpected improvement and superior results using the poly(ethylene terephthalate)-based film of the present.

In view thereof, it follows that the subject matter of the claims would not have been obvious in view of Ilda et al. at the time the invention was made.

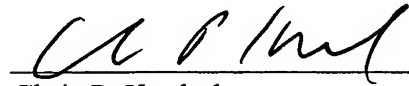
Applicants have reviewed the prior art made of record and believe that singly or in any suitable combination, they do not render Applicants' claimed invention unpatentable.

In view of the foregoing remarks and amendment, the claims are now believed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of

discussing such amendments. In the event the present application is not allowed, Applicants intend to appeal the present application in order not to waste further expense and time on continued prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "CP Konkol", written over a horizontal line.

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